



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making**Agency:** Department of Labor and Industries

☒ **Preproposal Statement of Inquiry was filed as WSR 06-15-112** \_\_\_\_\_ ;  
or  
☐ **Expedited Rule Making--Proposed notice was filed as WSR** \_\_\_\_\_ ; or  
☐ **Proposal is exempt under RCW 34.05.310(4).**

☒ **Original Notice**  
☐ **Supplemental Notice to WSR** \_\_\_\_\_  
☐ **Continuance of WSR** \_\_\_\_\_

**Title of rule and other identifying information:** Chapter 296-17-WAC General Reporting Rules, Classifications, Audit and Recordkeeping, Rates and Rating System for Workers Compensation Insurance

The department has been requested by the Washington Horse Racing Commission to establish two new classifications for exercise riders at major tracks and exercise riders at minor tracks.

**Hearing location(s):**

Department of Labor & Industries Bldg., Room S119  
Tumwater, WA 98501

Date: October 18, 2006 \_\_\_\_\_ Time: 9 a.m.

**Submit written comments to:**

Name: Bill Moomau, Classifications Services  
Address: P. O. Box 44148, Olympia, WA 98504-4148

e-mail [moom235@lni.wa.gov](mailto:moom235@lni.wa.gov) fax (360) 902-4729  
by (date) 5 p.m. October 18, 2006 \_\_\_\_\_

**Assistance for persons with disabilities:** Contact

Office of Information and Assistance by October 13, 2006 \_\_\_\_\_

**Date of intended adoption:** November 7, 2006 \_\_\_\_\_  
(Note: This is **NOT** the **effective** date)

TTY (360) 602-5797P \_\_\_\_\_ or ( ) \_\_\_\_\_

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

Presently the department administers two classifications for the horse racing industry that include on and off track employees such as assistant trainers, pony riders and exercise riders. One classification applies to major tracks such as Emerald Downs and the other classification applies to minor tracks such as fair meets and bush tracks.

The Washington Horse Racing Commission, which collects premiums on a per license basis, has requested the department create two additional classifications for exercise riders only and remove them from the existing classifications. Preliminary review would indicate that exercise riders have greater claim exposure than the other employees in the existing classifications.

This proposal creates a new classification for exercise riders at major tracks and another one for exercise riders at minor tracks.

No other rules are affected by this proposal.

**Statutory authority for adoption:**

RCW 51.16.035 and RCW 51.16.100

**Statute being implemented:**

RCW 51.16.035 and RCW 51.16.100

**Is rule necessary because of a:**

Federal Law? ☐ Yes ☒ No  
Federal Court Decision? ☐ Yes ☒ No  
State Court Decision? ☐ Yes ☒ No  
If yes, CITATION:

**CODE REVISER USE ONLY****WSR# 06-18-081****DATE**

September 5, 2006

**NAME** (type or print)

Gary K. Weeks

**SIGNATURE****TITLE**

Director

(COMPLETE REVERSE SIDE)

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Name of proponent:** (person or organization) Department of Labor and Industries

☐ Private  
☐ Public  
☒ Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting.....	Bill Moomau	Tumwater, Washington	360 902-4774
Implementation...	Ronald Moore	Tumwater, Washington	360 902-4748
Enforcement.....	Robert Malooly	Tumwater, Washington	360 902-4209

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone (     ) \_\_\_\_\_

fax     (     ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No. Explain why no statement was prepared.

In this case the agency is exempt from conducting a SBEIS since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.310(4)(f) and because the content of the rules is specifically dictated by statute described in RCW 34.05.310(4)(e).

**Is a cost-benefit analysis required under RCW 34.05.328?**

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone (     ) \_\_\_\_\_

fax     (     ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No: Please explain: In this case, the agency is exempt from conducting a CBA since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.328(5)(b)(vi) and because the content of the rules is specifically dictated by statute described in RCW 34.05.328(b)(v).

